

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

MONICA VILLA, SP 2014-HM-024 Appl. under Sect(s). 8-305 of the Zoning Ordinance to permit a home child care facility. Located at 1542 Stuart Rd., Herndon, 20170, on approx. 20,100 sq. ft. of land zoned R-1 (Cluster). Hunter Mill District. Tax Map 11-3 ((6)) 1. Mr. Byers moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on June 25, 2014; and

WHEREAS, the Board has made the following findings of fact:

1. The owner of the property is the applicant.
2. The zoning is R-1 Cluster.
3. The area of the lot is 20,100 square feet.
4. The staff recommends approval, and the Board adopts its rationale.
5. The Board very much appreciated that staff went back out and inspected the property to make sure that zoning inspection issues were taken care of.
6. The shed does not seem to be an issue as long as it is in compliance with the terms and conditions of the easement. And since it is a County easement, the Board thought it would be handled without any issue at all.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant, Monica Villa, only and is not transferable without further action of the Board, and is for the location indicated on the application, 1542 Stuart Rd., and is not transferable to other land.
2. This special permit is granted only for the home child care facility use indicated on the special permit plat prepared by Louis J. Matacia, dated May 7, 2004, as

revised through September 27, 2013, by Monica Villa, owner, and approved with this application, as qualified by these development conditions.

3. A copy of this special permit **SHALL BE POSTED in a conspicuous place on the property of the use** and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 5:00 p.m., Monday through Friday.
5. The maximum number of children on site at any one time shall be 12, excluding the applicant's own children.
6. The maximum number of assistants for the home child care shall be one.
7. The dwelling that contains the child care facility shall be the primary residence of the applicant.
8. There shall be no signage associated with the home child care facility.
9. No more than 25 percent of the front yard shall be surfaced area for a driveway or a vehicle parking area.
10. A building permit must be obtained for the rear deck.
11. The location of the shed is subject to the terms and conditions of any sanitary sewer easement specifications
12. All applicable permits and inspections shall be obtained prior to establishment of the use, to be demonstrated to the satisfaction of the Zoning Administration Division, including any electrical or plumbing inspections as may be required.


This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, six (6) months after the date of approval unless the use has been established as outlined above. The number of children shall not be increased above seven until all conditions are met. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning

Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Smith seconded the motion, which carried by a vote of 7-0.

A Copy Teste:


Suzanne Frazier, Deputy Clerk
Board of Zoning Appeals